

(b) As codified at 40 CFR 52.737 (USEPA's approval of the Illinois operating permit program for the purpose of issuing federally enforceable construction and operating permits), USEPA reserves the right to deem an operating permit not federally enforceable. Such a determination will be made according to appropriate procedures including operating permit requirements promulgated at 54 FR 27274 (June 28, 1989) and will be based upon either; the permit, permit approval procedures or state or local permit requirements which do not conform with the operating permit program requirements or the requirements of USEPA's underlying regulations. Among other things, underlying requirements include 40 CFR 51.214 and part 51, appendix P and Illinois' approved SIP, 40 CFR part 52. Should USEPA deem an operating or construction permit containing alternative monitoring requirements not federally enforceable, the underlying continuous monitoring requirements at Section 201.401 of the State rule would be the Federal requirements contained in the SIP to which the source would be subject. This interpretation of the impact of an operating permit deemed not federally enforceable by USEPA on a source to which it was issued was acknowledged by the State in a March 3, 1993, letter from Bharat Mathur, Chief, Bureau of Air, Illinois Environmental Protection Agency, to Stephen Rothblatt, Chief, Regulation Development Branch, Region 5, USEPA.

[58 FR 17783, Apr. 6, 1993]

§ 52.744 Small business stationary source technical and environmental compliance assistance program.

The Illinois program submitted on November 12, 1992, as a requested revision to the Illinois State Implementation Plan satisfies the requirements of section 507 of the Clean Air Act Amendments of 1990.

[58 FR 45451, Aug. 30, 1993]

Subpart P—Indiana

§ 52.769 Identification of plan—conditional approval.

The plan revision commitment listed in paragraphs (a) and (b) of this section were submitted on the dates specified.

(a) [Reserved]

(b) On February 25, 1994, Indiana submitted an amendment to Title 326 of the Indiana Administrative Code (326 IAC) 8-5-5 to add Volatile Organic Compound (VOC) Reasonably Available Control Technology (RACT) requirements for graphic arts facilities in the Indiana severe ozone nonattainment area (Lake and Porter Counties) which have the potential to emit 25 tons per year or more of VOC. The United States Environmental Protection Agency (USEPA) is conditionally approving the State's graphic arts facilities VOC RACT rule, contingent on fulfillment of the State's commitment to adopt and submit a State Implementation Plan (SIP) revision that would correct deficiencies in the State's recordkeeping and reporting requirements, contained in 326 IAC 8-1-2, by May 6, 1996. In order to correct the deficiencies, the State must meet three requirements.

The first requirement is for the monitoring, recordkeeping and reporting (MRR) requirements in the Indiana rules to be made more comprehensive to include more than: Daily volume-weighted averages of all coatings applied in a coating or printing line; and records of daily usage of gallons of solids coating and VOC content for each coating or ink solvent. Alternatively, when a source complies by using control devices, then records of monitoring parameters and other information must also be kept. The MRR requirements should also specify a period of time (i.e., 5 years) during which records shall be maintained at the facility. The second requirement is for the Indiana rules to be revised to require maintenance of records and reports of new or existing control devices. Records and reports that should be maintained include monitoring data, calibration and

maintenance logs, and logs of operating time. The third requirement is for the Indiana rules to be revised to require the maintenance of records and reports for exempt sources such as: Information pertaining to the initial certification, calculations demonstrating that total potential emissions of VOC from all flexographic and rotogravure printing presses at the facility will be less than the required limits for each year, the maintenance of record for a period of 5 years, and the requirement that any exceedance will be reported to the Administrator within 30 days after the exceedance occurs. Exempt sources should calculate: Yearly potential emissions, yearly actual emissions, and the name, identification, VOC content, and yearly volume of coatings/inks. If the State ultimately fails to meet its commitment to meet these requirements by the date listed above, then USEPA's action for the State's requested SIP revision will automatically convert to a final disapproval without further regulatory action.

(1) *Incorporation by reference.*

(i) (A) 326 IAC 8-5-5 Graphic arts operations. Filed with the Secretary of State, August 9, 1993, effective September 8, 1993, Published at Indiana Register, Volume 16, Number 12, September 1, 1993.

[60 FR 22241, 22242, May 4, 1995, as amended at 62 FR 19056, Apr. 18, 1997; 63 FR 35144, June 29, 1998]

EFFECTIVE DATE NOTE: At 63 FR 35144, June 29, 1998, § 52.769 was amended by removing and reserving paragraph (b), effective Aug. 28, 1998.

§ 52.770 Identification of plan.

(a) Title of plan: "State of Indiana Air Pollution Control Implementation Plan."

(b) The plan was officially submitted on January 31, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) The State Air Pollution Control Board submitted a SO₂ control strategy for the City of Indianapolis on March 16, 1972.

(2) The Governor submitted Pub. L. 100, Regulation APC 12-R and 13 through 17 on April 11, 1972.

(3) On May 1, 1972, the Governor's office submitted an errata sheet and revised pages for the State plan.

(4) A request for a nine month extension to achieve secondary SO₂ standards in the Indianapolis Region was made by the Governor on May 16, 1972.

(5) The State Air Pollution Control Board submitted additional information on surveillance methodology (non-regulatory) on May 17, 1972.

(6) Regulation APC 4-R was transmitted by the Governor on June 30, 1972.

(7) Assurance that emission data for sources was available for public inspection was given on July 24, 1972, by the Technical Secretary to the Indiana Board.

(8) Clarification of a policy on availability of emission data to the public sent August 17, 1972, by the Technical Secretary to the Indiana Board.

(9) On September 15, 1972, amendments to State control regulations 13, 15 and 16 were submitted to the Governor.

(10) On May 8, 1973, the Governor submitted a new regulation (APC-19) which replaced APC-1.

(11) The Governor submitted a transportation control plan for Marion County on October 19, 1973.

(12) On March 7, 1974, the Technical Secretary of the Air Pollution Control Board, acting for the Governor of Indiana, submitted new regulation APC-20.

(13) On October 3, 1974, the Technical Secretary submitted revised regulations APC-16 covering CO, APC-17 covering NO₂ and a new regulation APC-22 covering classification of counties for SO₂, oxidants, particulates, NO₂ and CO.

(14) On November 8, 1974, the Technical Secretary submitted revised regulation APC-3 covering visible emissions and revised regulation APC-15 covering hydrocarbons.

(15) On December 5, 1974, the Technical Secretary submitted revised regulation APC-13 covering SO₂. On July 18, 1975, an updated Technical Support Document on APC-13 was submitted by the Technical Secretary.

(16) On June 14, 1976, the Technical Secretary submitted enforcement orders varying the final sulfur dioxide emission limitations for the Warrick